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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/687,297	10/16/2003	Kenneth J. Rothschild	AMBER-07185

Peter G. Carroll  
MEDLEN & CARROLL, LLP  
Suite 350  
101 Howard Street  
San Francisco, CA 94105



CONFIRMATION NO. 7926

## FORMALITIES LETTER



\*OC000000011802590\*

Date Mailed: 02/02/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
  - The line spacing on the specification, claims, or abstract is not 1½ or double spaced (see 37 CFR 1.52(b)).
  - Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily legible copies in any number by use of photographic, electrostatic, photo-offset, and microfilming processes and electronic reproduction by use of digital imaging and optical character recognition. Pages 18, 120 are not in compliance with 37 CFR 1.52(a).

08/04/2004 SSANDARA 00000007 10687297

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**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Jerzy Olejnik *et al.*  
Serial No.: 10/687,297  
Filed: 10/16/03  
Entitled: Photocleavable Isotope-Coded Affinity Tags  
Group No.: 1621  
Examiner:

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)**

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on **August 2, 2004**.

By: 

Thomas W. Brown

Sir or Madam:

In response to the Notice to File Missing Parts of Application -- Filing Date Granted (Form PTO-1533) mailed **February 2, 2004** (a copy of which is enclosed), applicants submit the following documents:

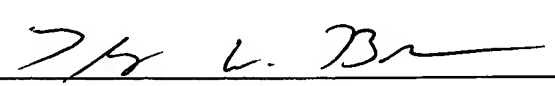
- ▶ Executed declaration or oath
- ▶ an Assignment document for recording whereby the subject application and the invention disclosed therein is assigned to AMBERGEN INC., 1106 Commonwealth Avenue, Boston, Massachusetts 02115 and a Recordation Form Cover Sheet -- Patents Only (Form PTO-1595)
- ▶ Power of Attorney by Assignee
- ▶ Petition for extension of time for filing within the fourth month
- ▶ Substitute Specification in Compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125

A check in the amount of **\$845.00** is enclosed herewith to cover:

\$65.00 surcharge for filing missing parts of an application  
\$40.00 recordation fee  
\$740.00 for filing a four month extension of time

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. **08-1290**. **An originally executed duplicate of this transmittal is enclosed for this purpose.**

Dated: August 2, 2004

  
Thomas W. Brown  
Registration No. 50,002

MEDLEN & CARROLL, LLP  
101 Howard Street, Suite 305  
San Francisco, California 94105  
617/984-0616



**PATENT**

Attorney Docket No. **AMBER-07185**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Jerzy Olejnik *et al.*

Serial No.: 10/687,297

Group No.:

Filed: 10/16/03

Examiner:

Entitled: **Photocleavable Isotope-Coded Affinity Tags**

**SUBSTITUTE SPECIFICATION  
FILED PURSUANT TO 37 CFR 1.125(a)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

<b>CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)</b>	
I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Dated: <u>August 2, 2004</u>	By: <u>Thomas W. Brown</u> Thomas W. Brown

Sir or Madam:

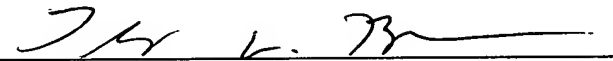
In the "Notice To File Missing Parts Of Nonprovisional Application", mailed on February 02, 2004 in application captioned above, the Initial Patent Examination Division requested the Applicants file a substitute specification to remedy informalities in the formatting of the specification of the application as originally filed. Specifically, non-conforming line spacing and (on some pages) character contrast were cited by the Initial Patent Examination Division.

In response, Applicants attach (for filing) a substitute specification that conforms to 37 CFR 1.52, 1.121(b)(3), and 1.125. Specifically, Applicants have reformatted the specification of the application, as originally filed, such that the line spacing of the specification, claims, and abstract is double spaced. In addition, pursuant to 37 CFR 1.52(b)(6), the paragraphs in the instant substitute specification (other than the claims or abstract) are individually and consecutively numbered. Furthermore, given the addition of paragraph numbers is the only "amendments" made to the attached substitute specification, Applicants have not enclosed a "marked-up" copy of the substitute specification as the numbering of paragraphs is not considered a change that must be shown pursuant to 37 CFR 1.125(2).

Finally, the Applicants (and the Applicants' representative named below) hereby state that no new matter is included in the attached substitute specification.

Respectfully submitted,

Dated: August 2, 2004



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